

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

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DR. JOSEPH CHIDI ANORUO.

Plaintiff.

ERIK K. SHINSEKI, Secretary of Veteran Affairs, and DEPARTMENT OF VETERAN AFFAIRS.

Defendants.

Case No. 2:11-cv-02070-MMD-CWH

ORDER

(Plaintiff's Motion to Stay – dkt. no. 27)

On August 23, 2012, the Court granted Defendants' Motion to Dismiss (dkt. no. 9) with prejudice, noting that Plaintiff failed to exhaust his administrative remedies. (Dkt. no. 22.) Plaintiff filed a Notice of Appeal on September 21, 2012. (Dkt. no. 24.) Plaintiff then filed a Motion to Stay this Court's Order dismissing his case with prejudice pending his appeal. (Dkt. no. 27.) However, the Court agrees with Defendants that there is no cause to stay this matter pending appeal, as no action or injunction will issue absent a stay.

IT IS THEREFORE ORDERED that Plaintiff's Motion to Stay this Court's Order Pending Appeal (dkt. no. 27) is DENIED.

DATED THIS 3rd day of April, 2013.



MIRANDA M. DU
UNITED STATES DISTRICT JUDGE